NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE MARYLAND 20755-6000

5 April 2012

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U//~~FOUO~~) Report to the Intelligence Oversight Board on NSA Activities - INFORMATION MEMORANDUM

(U//~~FOUO~~) Except as previously reported to you or the President, or otherwise stated in the enclosure, we have no reason to believe that intelligence activities of the National Security Agency during the quarter ending 31 December 2011 were unlawful or contrary to Executive Order or Presidential Directive and thus should have been reported pursuant to Section 1.6(c) of Executive Order 12333, as amended.

(U//~~FOUO~~) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.

George Ellard

GEORGE ELLARD
Inspector General

PATRICK J. REYNOLDS
Acting General Counsel

(U//~~FOUO~~) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

KEITH B. ALEXANDER
General, U. S. Army
Director, NSA/Chief, CSS

Encl:
Quarterly Report

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Approved for Release by NSA on 12-22-2014, FOIA Case # 70809 (Litigation)

I. (U) Intelligence, Counterintelligence, and Intelligence-Related Activities that Violated Law, Regulation, or Policy and Were Substantiated during the Quarter, as well as Actions Taken as a Result of the Violations

I.A. (U) Intelligence Activities Conducted under Executive Order (E.O.) 12333 Authority

I.A.1 (U) Unintentional Targeting or Database Queries against US Persons (USPs) or Foreign Persons in the United States

~~(S//SI//REL TO USA, FVEY)~~ NSA's primary tasking tools for telephone and Internet selectors

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(b)(3)-P.L. 86-36
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(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

(U//~~FOUO~~) During the fourth quarter of calendar year 2011 (CY2011), signals intelligence (SIGINT) analysts in instances inadvertently targeted communications to, from, or about USPs while pursuing foreign intelligence tasking. Unless otherwise specified, all intercepts, query results, and reports have been deleted or destroyed as required by United States SIGINT Directive SP0018.

(b)(3)-P.L. 86-36

I.A.1.a. (U) Tasking Errors

~~(S//SI//REL TO USA, FVEY)~~ NSA analysts learned that tasked selectors believed to be associated with valid foreign intelligence targets The errors occurred because the analysts did not The selectors were detasked respectively.

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(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ it was discovered that an NSA analyst had tasked a selector that had been associated with a USP The targeting error occurred The analyst detasked the selector on and no collection occurred.

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector associated with a USP had been erroneously tasked. The error occurred because the targeting analyst overlooked information about the target's USP status during the tasking process The selector was detasked and no collection occurred.

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that, because of a software error, and

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(b)(3)-50 USC 3024(i)

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Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20320108

targeting of a USP had continued one day beyond the period authorized by a consensual agreement. The analyst [redacted] detasked the selectors [redacted]

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(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] a US location was erroneously targeted and collection occurred for [redacted] All collection has been purged.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] after a foreign intelligence target was confirmed to be a USP, NSA analysts detasked all the target's telephone and e-mail selectors. However, another analyst, who was absent from the office when the target's USP status was confirmed, [redacted] retasked the e-mail selector. Upon realizing the mistake, the second analyst detasked the selector and deleted all queries and query results.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst learned that a selector associated with a USP was erroneously tasked [redacted] detasked [redacted] when the analyst became aware of the target's USP status. No collection occurred. The analyst was counseled to research selectors before tasking them.

I.A.1.b. (U) **Database Queries**

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(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

~~(S//REL TO USA, FVEY)~~ [redacted]

~~(S//REL TO USA, FVEY)~~ On [redacted] occasions during this quarter, analysts performed overly broad or poorly constructed database queries that potentially targeted and/or returned information about USPs. These queries used [redacted] produced imprecise results. On [redacted] of those occasions, the queries returned results from the database. The query results were deleted, and no reports were issued. Analysts who performed these queries were counseled by their management.

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(b)(3)-P.L. 86-36

(U) Procedural and other errors contributed to the following incidents.

- (U//~~FOUO~~) [redacted] NSA analysts performed [redacted] queries in raw traffic databases without first performing the required research on the selectors. [redacted] queries returned results, which were deleted or aged off; no reports were issued.

(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an analyst discovered [redacted] a selector that had been detasked [redacted] because of the [redacted] the United States. The analyst responsible for the [redacted] had been attending training and was unaware of [redacted] All non-compliant traffic was purged, and no reporting occurred. To prevent future

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(b)(3)-50 USC 3024(i)

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(b)(3)-50 USC 3024(i)

incidents, analysts have been instructed [redacted] before extended periods of absence.

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA database auditor noticed that an analyst had queried [redacted] in a raw traffic database. The analyst had mistakenly thought it would be acceptable to research [redacted] because [redacted] The analyst was counseled that this is not permitted under SIGINT policies governing raw traffic because the foreign target was not the [redacted] No results were returned by the query.

- ~~(S//SI//REL TO USA, FVEY)~~ On [redacted] occasions between [redacted] NSA analysts performed queries in the same raw traffic database using their personal identifiers or the identifier of another analyst. The analysts were counseled and provided a refresher on the use of the database. No results were returned by the queries.

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an analyst performed a query in raw traffic databases using selectors believed to be associated with a foreign intelligence target. The analyst later learned that the target held US citizenship. All query results were deleted [redacted]

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(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst performed a query using the selectors of [redacted] foreign intelligence targets known to be in the United States. The analyst deleted the results [redacted] and was counseled about procedures and policies regarding targeting foreign persons in the United States.

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA database auditor discovered that an analyst had mistakenly queried [redacted] in a raw traffic database [redacted] The error occurred because the analyst, despite [redacted] did not realize that the e-mail addresses were US addresses.

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(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] during a routine database audit, an NSA database auditor discovered that an analyst had performed a query [redacted] The error occurred because the analyst had [redacted] Upon realizing the mistake, the analyst immediately ceased further queries.

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(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

- ~~(S//SI//REL USA, FVEY)~~ [redacted] an analyst ran a query against selectors associated with a USP because the analyst did not know that the target was a USP. The analyst deleted the query results [redacted]

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst queried the selector for a foreign intelligence target [redacted] No results were returned by the query.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

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(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ an analyst inadvertently ran a query in a raw traffic database on selectors associated with a target while he was in the United States. The selectors associated with the target had been detasked in early in The query and results were deleted, and no reports were issued. The team was reminded about the importance of sharing

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

- ~~(S//SI//REL TO USA, FVEY)~~ an analyst mistakenly a query performed in a raw traffic database. The query did not return any results. The analyst was advised to verify all search terms before copying them.

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(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ an analyst performed in a raw traffic database a query that included dates during which the target had been in the United States. Although the analyst the United States, he The query returned results that did not require deletion because they had been collected incidentally. No reports were issued.

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(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ an analyst discovered that a selector that had been detasked the United States in a raw traffic database. To prevent future errors,

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that another analyst selectors associated with a target visiting the United States The analyst had detasked the selectors on the query results were deleted, and the analyst was reminded No reports were issued.

(b)(1)
(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ an analyst performed queries The incident occurred because the analyst was not aware that the The analyst deleted the results returned by the queries The analyst was advised to before querying a raw traffic database.

- ~~(S//SI//REL TO USA, FVEY)~~ two SIGINT analysts performed queries in the same raw traffic database using the selectors of valid foreign intelligence targets while the targets were in the United States. The errors occurred because when the targets were in the United States All query results have been deleted. Analysts have been advised

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

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(b)(3)-P.L. 86-36

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(b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i)

- ~~(S//SI//REL TO USA, FVEY)~~ an analyst discovered that a query against a target who the United States The analyst suspended the query and deleted the results The analyst was reminded to exercise caution when and to ensure that all relevant queries are stopped at the appropriate time.

- ~~(S//SI//REL TO USA, FVEY)~~ an analyst performed a query in a raw traffic database using the selectors for a target, even though the analyst was aware that the target was in the United States. The analyst deleted all results

(b)(1) (b)(3)-P.L. 86-36

I.A.1.c. (U) Detasking Delays

~~(S//SI//REL TO USA, FVEY)~~ an analyst found that selectors thought to have been detasked after it was learned that the target was a USP had remained on task. NSA management learned that had prevented the selectors from being detasked when the initial request was made. NSA management received confirmation that the selectors had been properly detasked. No reports were issued.

(b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i)

(b)(1) (b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ an analyst discovered that associated with a target remained on task when the target entered the United States The analyst knew the United States and The immediately detasked them. No collection occurred, and no reports were issued. The analyst was advised to

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector associated with a foreign intelligence target remained on task after the target had arrived in the United States. Although collection had been suspended on other selectors the United States, this selector had been mistakenly The analyst corrected the Collection was suspended on the No collection occurred, and no transcripts or reports based on the selector were issued.

(b)(1) (b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ an analyst discovered that a selector associated with a target the United States between had not been detasked. The selector was included The selector was subsequently detasked

(b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i)

~~(S//SI//REL TO USA, FVEY)~~ while reviewing results from a query, an analyst discovered that an The target office had received several notices No collection occurred. To prevent future incidents, the target office will suspend collection when notice is received United States.

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(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ an analyst discovered that a selector for a target remained on task while the target was in the United States during 2011. The analyst did not detask the selectors until No reports were issued. Management counseled the analyst to prevent similar incidents.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that another analyst had failed to detask because the target was in the United States. The selectors were detasked and no reports were issued.

~~(S//SI//REL TO USA, FVEY)~~ an analyst discovered that although The detask delay was attributed to the analyst's absence from the office The analyst detasked the and no reports were issued.

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(b)(3)-P.L. 86-36

I.A.2 (U)

~~(S//SI//REL TO USA, FVEY)~~

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

I.A.3 (U) **Data-Handling Errors**

~~(S//SI//REL TO USA, FVEY)~~ after learning that a tasked selector was associated with a USP, an analyst detasked the selector. The analyst found e-mails that contained information based on the target's communications. The analyst recalled the e-mails and remove the information from all databases.

~~(S//SI//REL TO USA, FVEY)~~ an analyst discovered that unminimized US telephone numbers had been mistakenly disseminated in an e-mail to an The analyst attempted to

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(b)(3)-P.L. 86-36

recall the message and sent a separate e-mail asking the external [redacted] customer to destroy the original message. [redacted] the analyst confirmed that the customer had destroyed the original message. The analyst was counseled regarding the importance of checking e-mail distributions before sending any e-mail containing USP information. (b)(1) (b)(3)-P.L. 86-36

I.B. (U) Dissemination of US Identities

~~(S//REL TO USA, FVEY)~~ The NSA/CSS enterprise issued [redacted] SIGINT product reports during the fourth quarter of CY2011. In those reports, SIGINT analysts included information that identified USPs or US entities on [redacted] occasions while pursuing foreign intelligence tasking. The majority of the US entities' names were those of Internet service providers in e-mail selectors. In [redacted] SIGINT products, disseminations were found to be improper, and the reports were canceled as NSA/CSS [redacted] analysts learned of USPs, US organizations, or US entities named without authorization. All data in the canceled reports was deleted as required, and the reports were not reissued or were reissued with proper minimization.

I.C. (U) Foreign Intelligence Surveillance Act (FISA)

I.C.1. (U) NSA/CSS Title I FISA (b)(1) (b)(3)-P.L. 86-36

I.C.1.a. (U) Detasking Delays

~~(S//SI//NF)~~ [redacted] an NSA analyst discovered that the selector associated with a target authorized under a Foreign Intelligence Surveillance Court (FISC) Order remained on task [redacted] Although the target analyst had been aware of the information regarding the target's [redacted] and had entered this information in a database, the analyst did not [redacted] and remove the selector from the FISA renewal application. The selector was detasked [redacted] and all intercept collected after [redacted] has been purged. The analyst has been reminded that appropriate actions must be taken when a selector is no longer authorized for FISA electronic surveillance.

~~(S//SI//NF)~~ [redacted] an NSA analyst discovered that selectors associated with FISC-authorized targets remained on task [redacted] The selectors were detasked [redacted] and all noncompliant collection has been purged. (b)(1) (b)(3)-P.L. 86-36

~~(S//SI//NF)~~ [redacted] an NSA analyst learned that an e-mail selector associated with a FISC-authorized target remained tasked [redacted] Although NSA analysts were aware of the target's [redacted] selectors remained on task until [redacted] No collection occurred from [redacted]

~~(S//SI//NF)~~ [redacted] an NSA analyst discovered that [redacted] e-mail selectors associated with a FISC-authorized target remained tasked [redacted] Information about the target's [redacted] was available to the analyst; however, the analyst misplaced the information and

did not submit a detask request until [redacted]. Collection between [redacted] has been marked for purging.

I.C.2. ~~(S//SI//REL TO USA, FVEY)~~ [redacted] **FISA** (b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i)

I.C.2.a (U) **Data-Handling Errors**

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA office was notified that data was sent to a server that was not authorized to hold [redacted] FISA data. A developer updated the processing scripts to delete the records that had been received and purged the results from the server.

(b)(1) (b)(3)-P.L. 86-36

I.C.2.b (U) **Unauthorized Access**

~~(S//SI//NF)~~ [redacted] during a random database check, it was discovered that three NSA analysts were granted access to [redacted] FISA data [redacted] without having the appropriate training. It was later discovered [redacted] that on multiple occasions since [redacted] a total of nine NSA analysts had been granted access to [redacted] FISA data without having the appropriate training. All 12 analysts had their FISA access revoked on [redacted] Database administrators have been provided training on verifying completion of training requirements before granting database access.

I.C.3. ~~(TS//SI//NF)~~ **Business Records (BR) Order**

(U) Nothing to report.

I.C.4. ~~(TS//SI//NF)~~ **Pen Register/Trap and Trace (PR/TT) Order**

~~(TS//SI//NF)~~ The PR/TT Order was terminated on 9 December 2011.

I.C.5. (U) **FISA Amendments Act (FAA)**

(b)(3)-P.L. 86-36

I.C.5.a. (U) **Section 702**

(U//~~FOUO~~) As previously reported, NSA/CSS has implemented a new process to ensure the purging of FAA §702 collection that is required to be purged from NSA/CSS databases. A [redacted] to effect the purge. [redacted] to identify noncompliant data that should be purged. All collection that has been marked for purging will be purged.

I.C.5.a.i. (U) **Unauthorized Targeting**

(b)(1) (b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that [redacted] selectors associated with a target had been improperly tasked under FAA §702 authority because targeting procedures were not followed. The selectors were detasked [redacted] and data collected from [redacted] has been marked for purging. No reports were issued.

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(b)(3)-50 USC 3024(i)

~~(S//SI//REL TO USA, FVEY)~~ a review of FAA §702 tasked selectors revealed that an NSA analyst improperly targeted The analyst was unaware of the restrictions on tasking The selector was detasked

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that the user of a tasked selector believed to be associated with a foreign intelligence target was not the intended target and was in the United States. The analyst emergency detasked the selector Noncompliant collection has been marked for purging.

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(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector had been tasked when the target was in the United States. The analyst The selector was emergency detasked on and noncompliant collection has been marked for purging. No reports were issued.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

~~(S//SI//REL TO USA, FVEY)~~ during a review of new FAA §702 tasking changes, it was discovered that a selector had been erroneously approved for tasking. The FAA §702 tasking The selector was detasked and all noncompliant FAA §702 data collected has been marked for purging. additional selectors were discovered to have been erroneously approved for tasking and were detasked All non-compliant traffic has been marked for purging, and no reports were issued.

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(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a tasked selector was associated with a USP. The analyst detasked all the target's selectors and all noncompliant FAA §702 collection has been marked for purging.

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that selectors associated with a foreign intelligence target had remained on task while the target was in the United States. The analyst however, because of a miscommunication, the analyst did not detask the selectors The selectors were emergency detasked on Noncompliant data collected from has been marked for purging.

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~~(S//SI//REL TO USA, FVEY)~~ it was discovered that a selector for a target had remained on task during the time the target was in the United States. The selector was

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(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

detasked [redacted] and all noncompliant collection has been marked for purging (b)(1) (b)(3)-P.L. 86-36 No reports were issued.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] NSA analysts tasked selectors for [redacted] foreign intelligence targets without performing research on the targets' citizenship. [redacted] research revealed that the targets were US citizens located in the United States. The selectors were emergency detasked [redacted] All noncompliant collection has been purged.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

I.C 5.a.ii (U) **Tasking Errors** (b)(1) (b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst learned that a selector for a valid foreign intelligence target had been tasked using outdated information that the target was located outside the United States. The information predated the earlier detasking of the selector [redacted] The analyst had forgotten that the selector had been detasked. The selector was detasked again [redacted] and data collected [redacted] has been marked for purging.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that a selector had been tasked incorrectly [redacted] and tasked a valid selector that was not associated with the target. The selector was originally approved for tasking [redacted] The selector was detasked [redacted] Noncompliant data collected [redacted] has been marked for purging.

(b)(1)
(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst learned that a selector for a valid foreign intelligence target had been tasked incorrectly because [redacted] The analyst detasked the selector [redacted] No collection occurred

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that a tasked selector was associated with a USP [redacted] the analyst had missed this information. The selector was detasked [redacted] and collection has been marked for purging. No reports were issued.

(b)(1)
(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that an e-mail account believed to be associated with a foreign intelligence target [redacted] The error occurred because the analyst did not perform sufficient research on the selector before tasking it. The selector was detasked [redacted] and noncompliant data has been marked for purging. No reports were issued.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst improperly tasked a selector for a foreign intelligence target without providing sufficient information to indicate that the target was located outside the United States. Because the selector was detasked on the same day it was approved for tasking, no collection or reporting occurred.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

~~(S//SI//REL TO USA, FVEY)~~ On two occasions [redacted] NSA analysts discovered that selectors for two foreign intelligence targets had been tasked incorrectly because of typographical errors The incorrect selectors were emergency detasked [redacted] and no collection occurred

I.C.5.a.iii. (U) **Database Queries**

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst, using a [redacted] FISC Court Order-approved selector associated with a USP improperly performed a query in a raw traffic database containing FAA §702 data After viewing the query results, the analyst learned that the target's selector had been misidentified in analytic files as being associated with a foreign target located outside the United States. The analyst was advised to research selectors before querying a raw traffic database.

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(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] NSA analysts performed overly broad queries that returned more data than expected The analyst used broad query terms without including [redacted] to limit the query The analysts deleted the query results, and no reports were issued.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] NSA analysts queried a raw traffic database using selectors associated with a USP The analysts did not conduct the required research on the selectors before querying the database They received counseling and instructions on conducting the appropriate research on the selectors Query results were deleted [redacted]

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA database auditor discovered that an analyst had queried a selector that was [redacted] The analyst had made a typographical error The query was stopped, and the query results were deleted No reports were issued.

I.C 5.a.iv. (U) **Detasking Delays**

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(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst initiated a non-emergency detasking of a target selector found to have [redacted] the FAA §702 target procedures required that the selector be detasked. The selector remained on task [redacted] Collection [redacted] has been marked for purging

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst reviewed information in an NSA internal report that a target had arrived in the United States [redacted] The analyst, however, had overlooked information about the target's US travel and had not detasked the selector After reviewing another internal report [redacted] the analyst discovered that the target had entered the United States and detasked the selector Noncompliant FAA §702 information has been marked for purging.

(b)(1)
(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted]. NSA analysts discovered that [redacted] selectors associated with a foreign intelligence target had remained on task while the target was in the United States. [redacted]. All [redacted] selectors remain on task for FAA §702 collection because the target has since left the United States. Noncompliant FAA §702 information has been marked for purging. (b)(1) (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 (b)(3)-50 USC 3024(i)

(b)(1) (b)(3)-P.L. 86-36 ~~(S//SI//REL TO USA, FVEY)~~ [redacted], an NSA analyst discovered that an e-mail selector [redacted] NSA determined that the e-mail account [redacted] and must be detasked. However, the account was not detasked [redacted]

(b)(1) (b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] during a review of FAA §702 selectors, an analyst discovered that a selector for a target had not been detasked [redacted]. The selector was detasked [redacted] and was mistakenly re-tasked [redacted]. The selector was detasked again [redacted] after it was learned that the target [redacted]. Data collected [redacted] has been marked for purging.

(b)(1) (b)(3)-P.L. 86-36 (b)(3)-18 USC 798 (b)(3)-50 USC 3024(i) ~~(S//SI//REL TO USA, FVEY)~~ [redacted], an NSA analyst discovered that a delay had occurred when a selector associated with [redacted] the United States [redacted]. Upon recognizing the mistake, the analyst requested an emergency detasking [redacted]. Noncompliant data collected [redacted] has been marked for purging. No reports were issued.

(b)(1) (b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst [redacted] that [redacted] e-mail accounts associated with a foreign target had been accessed from the United States [redacted]. An IC agency confirmed that the accounts were being accessed from within the United States by [redacted]. Instead of detasking the e-mail selectors immediately, the analyst requested a non-emergency detasking [redacted]. Upon discovery of the error, the analyst detasked the selectors [redacted]. Noncompliant data has been marked for purging, and no reports were issued.

(b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i) (b)(1) (b)(3)-P.L. 86-36 (b)(3)-18 USC 798

~~(S//SI//REL TO USA, FVEY)~~ [redacted], an NSA analyst discovered that a selector that should have been detasked immediately [redacted] was erroneously detasked [redacted]. When the error was discovered, the analyst emergency detasked the selector [redacted]. Noncompliant data collected [redacted] has been marked for purging, and no reports were issued.

(b)(1) (b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted], an NSA analyst learned that a selector [redacted] remained on task, even though [redacted] were known. The error occurred when the primary target analyst did not convey information about [redacted] to other analysts who needed the

information. The selector was emergency detasked [redacted] and noncompliant data has been marked for purging.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that an e-mail selector for a target had been detasked [redacted] when it was determined that the user of the account was not the intended target. The analyst, however, initiated a non-emergency detasking request, and the account remained subject to FAA §702 collection [redacted]. Noncompliant data collected [redacted] has been marked for purging. (b)(1) (b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] while conducting research on a selector before re-tasking it, an NSA analyst discovered that the selector for a foreign intelligence target had remained on task while the target was in the United States [redacted] the analyst had overlooked this selector. The selector was not detasked because the target had since departed the United States. Collection [redacted] has been marked for purging, and no reports were issued.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that a selector for a foreign intelligence target had remained on task while the target was in the United States [redacted]. The selector was detasked [redacted] and no collection occurred. (b)(1) (b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that an [redacted] had not been detasked when [redacted] for a foreign intelligence target were detasked [redacted] the United States [redacted] was emergency detasked [redacted], and noncompliant collection has been marked for purging. No reports were issued.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an analyst discovered that [redacted] e-mail selectors associated with a foreign intelligence target had remained on task while the target was in the United States. The error occurred because of a miscommunication between two analysts, each analyst believed that the other would detask [redacted] selectors. Although the [redacted] selectors had been detasked [redacted] the United States, the target's [redacted] (b)(1) (b)(3)-P.L. 86-36 Noncompliant data collected has been marked for purging.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst received a report that a target had been in the United States [redacted] Initial detasking of the selector was submitted [redacted] but the detasking request [redacted] As a result, the selector remained tasked [redacted] All non-compliant collection was purged [redacted] and no reports were issued.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] selectors were submitted for detasking because of insufficient information indicating that the targets were located outside the

United States During a review [redacted] to verify that [redacted] selectors had been detasked, it was found that one selector had not been detasked. It was determined that because the target was not a USP and not in the United States, there was no immediate urgency to detask

I.C.5.a.v. (U) Data-Handling Errors

(b)(1)
(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that files containing data collected under FAA §702 authority were misrouted into a directory that was not approved for FAA §702 data The error occurred because of a mistyped path name The files have been purged from the incorrect directory and moved to an FAA-cleared directory

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that a USP had been identified in evaluated, minimized traffic (EMT) that was disseminated to a foreign partner [redacted] The disseminated EMT was recalled [redacted] and the information was confirmed to have been deleted from the foreign partner's databases The traffic was purged, and no reports were issued.

I.C.5.a.vi. (U) Overcollection

~~(S//SI//REL TO USA, FVEY)~~ [redacted] NSA learned that the [redacted] Collection occurred [redacted] and has been marked for purging. No reports were issued.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] during testing of an upgrade of a collection system, NSA discovered that overcollection had occurred, resulting in the collection of [redacted] communications. The overcollection occurred because the collection system had an outdated version of an application. An interim fix has been implemented until a permanent solution is installed Noncompliant collection [redacted] has been marked for purging NSA is conducting a thorough review to verify that the system is performing properly.

(b)(1)
(b)(3)-P.L. 86-36

I.C.5.b. (U) Section 704

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

(U) Nothing to report.

I.C.5.c. (U) Section 705(b)

I.C.5.c.i. (U) Unauthorized Targeting

(b)(1)
(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst was notified by an [redacted] that an FAA §705(b) authorized target had entered the United States on [redacted] The analyst detasked the target's telephone selector [redacted] were not tasked when the target was in the United States No reports were issued. The NSA analyst reminded the [redacted] that notification is required when targets authorized under FAA §705(b) return to the United States

(b)(3)-P.L. 86-36

I.C.5.c.ii. (U) Detasking Error

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an analyst learned that the selectors associated with a USP had mistakenly been placed on FAA §705(b) tasking [redacted]. Analysts were aware [redacted] and detasked all the selectors [redacted]. On the weekend of [redacted] the selectors were mistakenly re-tasked. [redacted] analysts became aware of the re-tasked numbers and detasked them. No collection occurred, and no reports were issued.

(b)(1)
(b)(3)-P.L. 86-36

I.D. (U) Other

I.D.1. (U) Unauthorized Access

~~(S//SI//REL TO USA, FVEY)~~ [redacted] military personnel who were not authorized to view FAA §702 conducted queries in a raw traffic database containing FAA §702 data. Their access was discontinued [redacted]

I.D.2. (U) Unauthorized Dissemination

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an e-mail containing raw SIGINT was inadvertently disseminated to a distribution list that included an analyst who was not authorized to receive the data. Upon recognition of the unauthorized dissemination, the message was recalled [redacted] and an e-mail was sent to the distribution list explaining the inadvertent disclosure and directing unauthorized recipients to delete the e-mail.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

I.D.3. (U) System Error

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA software developer discovered that [redacted] The error occurred because of a software glitch [redacted] System developers are working to add a notification of errors feature.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] NSA learned that a system error had caused a tasking tool to erroneously [redacted] already been detasked. [redacted] an analyst re-tasked [redacted] selector that had been detasked because the target was [redacted] the United States and held a permanent resident card (green card). The selector was detasked again [redacted] Although collection occurred [redacted] no reports were issued.

(b)(1)
(b)(3)-P.L. 86-36

I.E. (U) Counterintelligence Activities

(U) Nothing to report.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

I.F. (U) Intelligence-Related Activities

~~(S//SI//REL TO USA, FVEY)~~ To reduce the risk of unauthorized telephony collection and prevent violations, NSA/CSS has instituted a process that gives analysts greater and faster insight into a target's location. [redacted] Collected data was purged from NSA/CSS's principal raw traffic repositories when required.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

~~(S//SI//REL TO USA, FVEY)~~ [redacted] UNCODED [redacted] NSA analysts found [redacted] e-mail selectors [redacted] Collected data was purged from NSA/CSS's principal raw traffic repositories when required.

(U//~~FOUO~~) In [redacted] instances, database access was not terminated when access was no longer required. Although not considered violations of E.O. 12333 or related directives, the accesses were terminated. In addition, there were [redacted] instances of unauthorized access to raw data during the quarter.

(b)(3)-P.L. 86-36

II. (U) NSA/CSS Office of the Inspector General (OIG) Intelligence Oversight (IO) Inspections, Investigations, and Special Studies

(U//~~FOUO~~) During the fourth quarter of CY2011, the OIG reviewed various NSA/CSS intelligence activities to determine whether they had been conducted in accordance with statutes, Executive Orders, Attorney General (AG) procedures, and DoD and internal directives. With few exceptions, the problems uncovered were routine and showed that operating elements understand the restrictions on NSA/CSS activities.

II.A. (U//~~FOUO~~) [redacted] Regional Operations Center [redacted]

(b)(1)
(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ As part of an NSA/CSS IG field inspection of [redacted] the IO inspection team reviewed the IO program, IO training, and application of IO standards in the SIGINT mission activities performed at the site. The IO team found that, although the [redacted] IO program has not yet been fully implemented, the IO Program Manager (IO PM) is putting the appropriate processes, procedures, and documentation in place to ensure that the program is easily updated and maintained. To provide oversight of mission operations conducted [redacted] the IO PM has developed a team of on-site IO Officers. The IO inspection team found that the physical layout of the site posed a significant challenge to providing effective protection of FISA data and recommended procedural and physical solutions.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

(b)(1)
(b)(3)-P.L. 86-36

II.B. (U) Unauthorized Intelligence Activity

~~(S//SI//REL TO USA, FVEY)~~ [redacted] the OIG's Office of Investigation initiated an investigation of an allegation that an NSA analyst had conducted an unauthorized intelligence activity. In an interview conducted by the NSA/CSS Office of Security and Counterintelligence, the analyst reported that, during the past two or three years, she had searched her spouse's personal telephone directory without his knowledge to obtain names and telephone numbers for targeting. [redacted] (b)(1) [redacted] Although the investigation is ongoing, the analyst has been advised to cease her activities.

II.C. (U) Misuse of the US SIGINT System

(U) Nothing to report.

II.D. (U) Congressional and IO Board Notifications

(U) Nothing to report.

II.E. (U) Other Notifications

~~(S//REL TO USA, FVEY)~~ NSA/CSS has notified the AG of [redacted] intelligence-related collection activities associated with USP hostage and detainee cases. (b)(1) (b)(3)-P.L. 86-36

III. (U) Substantive Changes to the NSA/CSS IO Program

III.A. (U) [redacted] (b)(3)-P.L. 86-36

(U) As reported in the second quarter CY 2011 report, NSA/CSS is developing a new tool designed to automate the process of submitting mission compliance incident reports across the worldwide NSA/CSS enterprise. The implementation of the [redacted] originally scheduled to be fully operational for the [redacted] has been delayed until the [redacted] because of system problems.

III.B. (U) New Purge Procedures

(U//~~FOUO~~) NSA is in the process of introducing new purge procedures for inadvertently acquired collection across authorities. One of the key features of this new process is the launch of an [redacted] which analysts can access to [redacted] (b)(3)-P.L. 86-36 [redacted] As the process matures, it is expected to replace the current, [redacted] to further enhance NSA's overall compliance posture.

IV. (U) Changes to NSA/CSS Published Directives or Policies Concerning Intelligence, Counterintelligence, or Intelligence-Related Activities and the Reason for the Changes

(U) Nothing to report.

V. (U) **Procedures Governing the Activities of DoD Intelligence Components that Affect USP (DoD Directive 5240.1-R, Procedure 15) Inquiries or Matters Related to IO Programs**

(U) Nothing to report.